

2001 DRAFTING REQUEST**Bill**Received: **11/01/2000**Received By: **malaigm**Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**By/Representing: **E-mail**This file may be shown to any legislator: **NO**Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Employ Priv - health and safety**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Convenience store security

Instructions:

Redraft 99-0324

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 11/01/2000	chanaman 11/01/2000		_____			S&L
/1		gilfokm 11/21/2000	kfollet 11/02/2000	_____	lrb_docadmin 11/22/2000	lrb_docadmin 01/17/2001	
			jfrantze 11/22/2000	_____			

FE Sent For:

<END>

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BAD

2001 DRAFTING REQUEST

Bill

Received: 10/26/2000

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: E-Mail

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: Employ Priv - health and safety

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

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Instructions:

Redraft 99-0324/1

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/?	malaigm			_____ _____			

FE Sent For:

<END>

Malaise, Gordon

From: Miller, Steve
Sent: Thursday, October 26, 2000 2:14 PM
To: Malaise, Gordon
Subject: Redraft request for Marlin Schneider

Rep. Schneider has requested the following redrafts.
He understands that our priority at this time is drafting the Governor's budget.

99-0324/1

~~99-0324/1~~

D-N-Te

0895/1

KMG

1999 ASSEMBLY BILL 6

January 14, 1999 - Introduced by Representatives SCHNEIDER, MUSSER, BOYLE, BERCEAU and GRONEMUS. Referred to Committee on Small Business and Economic Development.

1 AN ACT to create 20.445 (1) (fm) and 103.08 of the statutes; relating to:
2 convenience store, service station and restaurant security, a grant program for
3 workplace security training and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill permits counties, cities, villages and towns to enact local ordinances requiring convenience stores, service stations, and restaurants that are regularly open for business at any time between 8 p.m. and 5 a.m. (at-risk businesses), other than at-risk businesses in which only the owner and his or her family members work during those hours, to do all of the following:

1. Adequately illuminate the parking lot at an intensity determined by the ordinance.

2. If the at-risk business is constructed or converted from another use on or after the effective date of the ordinance, place the cash register and transaction area, and maintain window signs and tinting, so as to provide a clear and unobstructed view of the cash register and transaction area from the street.

3. If the at-risk business is equipped with a security camera, make the recording device of the security camera inaccessible to employees and post a conspicuous sign at the entrance stating that a security camera with an inaccessible recording device is in place on the premises.

In addition to the requirements listed above, the bill also permits a local ordinance enacted under the bill to require the owner of an at-risk business that is subject to the ordinance to do any of the following:

ASSEMBLY BILL 6commerceemployees

1. Equip the at-risk business with an inaccessible drop safe and post a conspicuous sign at the entrance stating that an inaccessible drop safe is on the premises.

2. Require all employees who work at any time between 8 p.m. and 5 a.m. to attend a workplace security training program that is provided by the law enforcement agency of the local governmental unit enacting the ordinance or by a local chamber of commerce or other local business group and that has been approved by the attorney general. The bill appropriates moneys and directs the department of ~~workforce development~~ to provide grants to assist local governmental units and local chambers of commerce, or other local business groups in providing those training programs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2001-022002-031999-002000-01

~~20.445 Workforce development, department of~~

(1) WORKFORCE DEVELOPMENT

(fm) Workplace security training

grants

GPR

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10,000

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SECTION 2. 20.445 (1) (fm) of the statutes is created to read:

20.445 (1) (fm) *Workplace security training grants.* The amounts in the schedule for workplace security training grants under s. 103.08 (6).

SECTION 3. ~~103.08~~ of the statutes is created to read:

~~103.08~~ Convenience store, service station, and restaurant security ordinances. (1) DEFINITIONS. In this section:

Insert
2-11

(B) 101,112

ASSEMBLY BILL 6

(a) "Convenience store" means any place of business that is engaged in the retail sale of groceries, including the sale of prepared foods.

(b) "Restaurant" has the meaning given in s. 254.61 (5).

(c) "Service station" means any place of business that is engaged in the retail sale of gasoline.

(2) LOCAL ORDINANCE. A county, city, village, or town may enact an ordinance that is in strict conformity with subs. (3) and (4). An ordinance enacted by a county under this subsection is applicable in that part of any city or village located in the county and in any town located in the county, unless the city, village or town has enacted an ordinance under this subsection.

(3) CONVENIENCE STORE, SERVICE STATION AND RESTAURANT SECURITY. (a) An ordinance enacted under sub. (2) shall require all of the following:

1. That the owner of every convenience store, service station or restaurant within the county, city, village or town enacting the ordinance that is regularly open for business at any time between 8 p.m. and 5 a.m., other than a convenience store, service station or restaurant in which only the owner or his or her family members work during those hours, adequately illuminate the parking lot at an intensity determined by the governing body of the county, city, village or town enacting the ordinance.

2. That the owner of every convenience store, service station or restaurant described in sub. 1. that is constructed or converted from another use on or after the effective date of the ordinance place the cash register and transaction area, and maintain window signs and tinting, so as to provide a clear and unobstructed view of the cash register and transaction area from the street.

of the convenience store, service station, or restaurant

ASSEMBLY BILL 6

If the
In the case of
3. That the owner of every convenience store, service station or restaurant described in subd. 1. that is equipped with a security camera make the recording device of the security camera inaccessible to *employees* and post a conspicuous sign at the entrance stating that a security camera is in place on the premises and that the recording device of the security camera is inaccessible to *employees*.

(b) In addition to the requirements under par. (a), an ordinance enacted under sub. (2) may require *(intro.) to do any of the following:*

All Equip
1. That the owner of every convenience store, service station or restaurant described in par. (a) *Require* the convenience store, service station or restaurant with a drop safe that is inaccessible to *employees* and post a conspicuous sign at the entrance stating that a safe is on the premises and that the safe is inaccessible to *employees*.

Require
2. That the owner of every convenience store, service station or restaurant described in par. (a) 1. require all *e* employees who work at any time between 8 p.m. and 5 a.m. to attend a workplace security training program that has been approved by the attorney general under sub. (5) or (6).

(4) PENALTIES. An ordinance enacted under sub. (2) shall provide that any person who violates the ordinance may be required to forfeit not more than \$1,000.

(5) WORKPLACE SECURITY TRAINING. The law enforcement agency of a county, city, village or town that enacts an ordinance under sub. (2) may provide for persons who are required to attend a workplace security training program under sub. (3) (b) 2. a workplace security training program that trains and familiarizes those persons with the security practices required under sub. (3). The law enforcement agency shall submit the proposed training program to the attorney general and the attorney

ASSEMBLY BILL 6

1 general shall review and approve or disapprove the proposed training program
2 within 60 days after its receipt. 20,143 (3)(e) ✓

3 (6) GRANTS FOR WORKPLACE SECURITY TRAINING PROGRAMS. (a) From the
4 appropriation under s. 20.445 (1) (f), the department shall provide grants to
5 applying local governmental units, local chambers of commerce, ✓ and other local
6 business groups to assist those units, chambers, ✓ or other groups in providing
7 workplace security training programs for the employees^e of convenience stores,
8 restaurants, service stations¹ and other places of business that are at risk of theft or
9 robbery, including employees^e who are required to attend a workplace security
10 training program under sub. (3) (b) 2. ✓

11 (b) A local governmental unit, local chamber of commerce^v, or other local
12 business group that applies for a grant under par. (a) shall submit with its grant
13 application a description of its proposed workplace security training program
14 containing any information that the department, after consulting with the attorney
15 general, may require. On receipt of a grant application, the department shall submit
16 the proposed workplace security training program to the attorney general⁵ and the
17 attorney general shall review and approve or disapprove the proposed workplace
18 security training program within 60 days after its receipt.

19 (c) Annually, the department shall notify all local governmental units and all
20 local chambers of commerce or other local business groups in this state of the
21 availability of the grants provided under par. (a). an

22 (7) IMMUNITY FROM LIABILITY. The attorney general and ~~his or her employees~~ and
23 ~~agents~~ shall not be liable for any claim for damages to person or property arising out
24 of the approval or disapproval of a workplace security training program under sub.
25 (5) or (6). A local governmental unit, any governmental subdivision or agency of a

and any employee or agent
of the attorney general

ASSEMBLY BILL 6

provision

1 local governmental unit, a local chamber of commerce, or other local business group,
2 and any officer, official, agent or employee of any of those entities shall not be liable
3 for any claim for damages to person or property arising out of the implementation
4 of a workplace security training program approved under sub. (5) or (6), if the
5 workplace security training program is actually provided.

SECTION 4. Nonstatutory provisions.

7 (1) REPORT ON SAFETY AND SECURITY REQUIREMENTS OF AT-RISK BUSINESSES. No
8 later than January 1, 2003, the department of justice shall submit a report to the
9 legislature, in the manner provided under section 13.172 (2) of the statutes, on the
10 safety and security requirements of businesses that have a high incidence of violent
11 crimes such as homicide and robbery, as determined under the uniform crime
12 reporting system of the office of justice assistance in the department of
13 administration. The study shall include the effects of multistaffing, bullet-resistant
14 enclosures, security devices such as cameras and alarm systems and other applicable
15 crime prevention measures in preventing violent crime at those businesses.

(END)

1

**ASSEMBLY AMENDMENT 1,
TO 1999 ASSEMBLY BILL 6**

October 5, 1999 -- Offered by Representative SCHNEIDER.

At the locations indicated, amend the bill as follows:

1. Page 2, line 1: delete lines 1 to 12 and substitute:

"SECTION 1d. 20.005 (3) (schedule) of the statutes: at the appropriate place,
insert the following amounts for the purposes indicated:

1999-00 2000-01

20.143 Commerce, department of

(3) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS

(e) Workplace security training

grants

GPR

A

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SECTION 2d. 20.143 (3) (e) of the statutes is created to read:

20.143 (3) (e) *Workplace security training grants*. The amounts in the schedule
for workplace security training grants under s. 101.112 (6).

SECTION 3d. 101.112 of the statutes is created to read:

(am & insert)

1 ~~101.112 Convenience store, service station and restaurant security~~".

2 ~~2.~~ Page 5, line 4: delete "20.445 (1) (fm)" and substitute "20.143 (3) (e)".

3 ~~(END)~~

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

~~October 26, 1998~~

0895
LRB-0324/1da
GMM:jjf
kmq

This draft creates an appropriation for workplace security training grants. The budget bill, however, repeals and recreates the appropriation schedule. Accordingly, to avoid an inadvertent repeal of the appropriation created by this draft, you should either have this draft redrafted as a budget amendment next spring or wait until after the enactment of the budget before seeking the enactment of this draft.

Gordon M. Malaise
Senior Legislative Attorney
266-9738

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0895/1dn
GMM:kmg:jf

November 22, 2000

This draft creates an appropriation for workplace security training grants. The budget bill, however, repeals and recreates the appropriation schedule. Accordingly, to avoid an inadvertent repeal of the appropriation created by this draft, you should either have this draft redrafted as a budget amendment next spring or wait until after the enactment of the budget before seeking the enactment of this draft.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 22, 2000

MEMORANDUM

To: Representative Schneider

From: Gordon M. Malaise, Senior Legislative Attorney

Re: LRB-0895 Convenience store security

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

☒ JACKET FOR ASSEMBLY ☐ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9738 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.